

## **REMARKS**

### **Status of Claims**

Claims 1-8 have been cancelled. Claims 9-16 are pending and have been rejected.

Claims 9-11 and 16 have been amended to correct informalities in the claim language and to more clearly define the claimed subject matter. No new matter has been added.

### **Objections**

In the Office Action dated June 20, 2008, the Examiner objected to the drawings because the drawings fail to show every feature of the invention specified in the claims. Specifically, the Examiner asserts that transistors higher in threshold voltage in claim 10; and second logical elements having a layout structure different from that of said first logical elements in claim 11 are not shown in the drawings. Applicants respectfully traverse these objections.

As to transistors higher in threshold voltage in claim 10, FIG. 1 illustrates the first logical elements 102 and the second logical elements 104, both of which include transistors, and Fig. 2 illustrates a block diagram of logical elements which include transistors. Since transistors are conventional features disclosed in the description and claims, they can be illustrated in the form of a graphical drawing symbol or a labeled representation (see, 37 CFR 1.83(a)). Also, it is not possible to illustrate “higher in threshold” in the drawings as it is simply a voltage level at which the transistor turns on. Therefore, Applicants respectfully submit that Figs. 1 and 2 sufficiently illustrate transistors “higher in threshold voltage” in claim 10.

As to second logical elements having a layout structure different from that of said first logical elements in Claim 11, Applicant respectfully submit that Claim 11 has been amended to recite “second logical elements have a transistor size different from that of said first logical

elements.” Applicants submit that Figs. 1 and 2 sufficiently illustrate second logical elements 104 including transistors having a different transistor size from that of said first logical elements. Since transistors are conventional features disclosed in the description and claims, they can be illustrated in the forms of a graphical drawing symbol or a labeled representation (see, 37 CFR 1.83(a)). Therefore, Applicants respectfully submit that Figs. 1 and 2 sufficiently illustrate second logical elements having a transistor size different from that of said first logical elements in Claim 11.

**Rejection under 35 U.S.C. §112, first paragraph**

Claim 11 is rejected under 35 U.S.C. §112, first paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. Applicants respectfully submit that amendment made to Claim 11 overcomes this rejection.

**Rejection under 35 U.S.C. §102**

Claims 9, 13 and 16 are rejected under 35 U.S.C. §102(e) as being anticipated by New (US Publication No. 2004/0174187). Applicants respectfully traverse these rejections.

The Examiner asserts that New discloses second logical elements having the same logic as said first logical elements but having an upper limit of operating speed designed to be lower than that of said first logical elements, referring to the paragraph [0012] of New. Applicants respectfully submit that “high speed” or “low power consumption” mentioned in the paragraph [0012] refer to interconnect structures that connect configurable logic blocks (CLBs). In this regard, the Examiner’s attention is respectfully directed to the paragraph [0011] and Fig. 3 of New. New does not teach or suggest that two CLBs have different speed. Thus, Applicants

respectfully submit that New fails to disclose first logical elements having a predetermined logic and second logical elements having the same logic as said first logical elements but having an upper limit of operating speed of a transistor in the second logical elements which is designed to be lower than that of said first logical elements.

Anticipation under 35 U.S.C. § 102 requires that “each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”

*Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed Cir. 1987). At a minimum, the cited prior art does not disclose expressly or inherently the above recited elements. Thus, Applicants respectfully request that the Examiner withdraw the rejection of Claim 9. Similarly, the rejection of Claim 16 should be withdrawn for at least the same reasons. Further, since Claim 13 is a dependent claim upon Claim 9, it is submitted that this claim is also allowable at least the same reasons as Claim 9.

#### **Rejection under 35 U.S.C. §103(a)**

Claims 10, 12, 14 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over New. Applicants respectfully traverse these rejections.

First, as stated above, since Claim 10, 12, 14 and 15 are dependent claims upon Claim 9, it is submitted that these claims are also allowable at least the same reasons as Claim 9.

As to Claim 10, the Examiner asserts that New discloses that the first transistors have a lower effective threshold voltage than the second transistors. Applicants, however, submit that New fails to disclose that the first and second logical elements are allocated based on processes of an application program, as recited by amended claim 10. In the present invention, the logical elements are allocated, for instance, for low speed operation by analyzing the processes in the

application program. In New, however, no application level analysis is carried out, and performance of the device is not as good as the present invention.

It is well known that , in order to establish *prima facie* obviousness under 35 U.S.C. § 103(a), all the claim limitations must be taught or suggested by the prior art. *In re Rokya*, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974). At a minimum, the cited prior art does not disclose expressly or inherently the above recited limitation. Therefore, Applicants respectfully request that rejection of Claim 10 be withdrawn.

**CONCLUSION**

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

Respectfully submitted,

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